

1888-004 Chancery Causes: Wheeler & Ball vs. Robert E. Crockett  
Lee Co.

Wheeler, Ball

CA-Debt

T-Property



To the Hon. H. S. K. Morison Judge of the Circuit  
Court of Lee County Virginia:

Humbly complaining your Orators James M.  
Wheeler and Moses S. Ball late Merchants and  
partners in trade under the firm name of Wheeler & Ball  
would respectfully represent, that on the 31st day of June  
1887 they obtained a judgment at law before J. B. Tenney  
Justice of the peace for said County against one Robert B.  
Brockett for the sum of \$80.82 with legal interest thereon  
from the 23rd day of February 1881 till paid and the cost am-  
ounting to \$1.00 and this original judgment, and the writ-  
or bond on which it was rendered is herewith filed as  
a part of this Bill marked (A)

Your Orators further state that on the 13th day of Sept<sup>r</sup> 1885  
One J. H. Woodson also obtained a judgment at law before the  
same Justice of the peace against the said R. B. Brockett for  
the sum of \$25.65 with legal interest thereon from the  
8th day of April 1885 till paid and the cost amounting  
to \$1.25 and this original judgment is herewith filed  
as a further part of this Bill marked (B)

Your Orators state that by a writing endorsed on said judgt,  
dated Sep 25 1886 said J. H. Woodson assigned said last named  
judgment to W. G. Balsom and by a like writing dated  
Augt 31st 1887 said Balsom assigned the same to your  
Orators for value recd. so that your Orators are now the  
owners of said judgment at law.

Your Orators state that each and every part of said  
two judgments at law is now due and owing to them  
no part of either ever having been paid by said Brockett or any  
one for him.



Your Orators state that said Brockitt does not own any personal property out of which said judgments or any part thereof could be made, but they state that he is the owner of a valuable tract of land on which he now lives lying & being in said County of Lee about 3 miles east of Cumberland Gap containing 150 or 200 acres the rents and profits of which will in five years time pay said two judgments at law.

Your Orators are advised that said judgments operate as liens on said real estate, and that the rents and profits thereof are liable to be taken and applied by a court of equity to the payment thereof and to obtain that end is the object of this bill;

The premises concluded your Orators pray that said  
80.82  
1.00  
25.65  
1.25  
118.72  
H E Brockitt be made the deft. hereto and be required to answer the same fully on Oath, and upon a hearing a decree be rendered in favor of your Orators against said Brockitt for the aggregate amount of said two judgments and interest & costs the costs of this suit and that said defendants said real estate be decreed to be sold at for the shortest space of time that the same will yield the requisite sum, and for all general relief May the Commonwealths writ of Habeas corpus issue directed or.

Henry J. Morgan for Piffs



Clerk \$6.36  
\$ 30  
at 15.00  
\$ 21.86

Wheeler & Ball (H. J. M.)

at Bill to Enforce Just Lien

Robert E. Lorschett

1887 Court Bill filed.

Spa Exd & D. Chis

" Decr. D. Ch. Confd &  
Cause set for hearing.

888 Apr. Decree final



Wheeler Ball

vs.

Robert E. Crockett

Deft

Deft

In Bly

This cause came on again to be finally heard on the papers heretofore read therein, and the report of Court Morgan dated and filed in the cause Feb. 7 1888 showing the manner in which the parties had mutually settled the debt interest and cost between themselves, and was argued by counsel, and the said report being accepted to. On consideration of all which it is adjudged ordered and decreed that the said report be confirmed, and the parties are hence dismissed and the cause stricken from the docket.

Whelan & Bull

no. { Decree No. 2. final  
}

Robert E. Brockett  
Entered Chy  
O B page 115-  
Dyatt & Co

Entered this  
April 3<sup>rd</sup> 1888  
H. A. K. M.



Whelan & Ball

Peffs

vs.  
R. E. Crockett

Deft

In Chy

This cause came on this day to be heard on the bill of the Peffs and exhibits therewith taken for confessed by the deft. Crockett & was argued by counsel. On consideration whereof it is adjudged ordered and decreed that the Peffs recover against the defendant R. E. Crockett \$108.72, with legal interest at \$80.82 per cent thereof from the 20<sup>th</sup> day of Feb. 1881, and the like interest at \$65.00 from the 8<sup>th</sup> day of April 1880 till paid and the costs of this suit, and unless said sum above decreed the Peffs & costs be paid them within 20 days from the rising of this court, then it is further adjudged ordered & decreed that the defendants real estate be sold out for the shortest length of time that the same will yield the requisite sum, and that the same be sold out at Public Auction to the highest bidder at the front door of the Court House of Lee County on some court day after the same shall have been advertised 30 days prior thereto showing time, terms & place of selling. At said selling so much cash as will pay the costs of suit and leasing will be required in hand and as to the residue the same shall be made payable annually in equal installments bearing interest from the day of leasing and the lessee required to give bond with approved security for the deferred payments & Henry J. Morgan is appointed a Special Commissioner to execute this decree who before doing so is required to execute bond with security before the clerk of this court in the penalty of \$500 - with condition to account for all money he may receive in this cause and he will report his action to the court and the cause is continued.



Whitcomb Ball

no.  $\frac{1}{2}$  Decm No 1

A. E. Crockett

Entered Pages 88 + 9

C.O.B. no. 30

Entered  
Dec. 7 1857  
H. S. Kne



Wheeler & Ball

Plff

vs.

R. E. Crockett

Def

} In Chy

To the Hon H. B. K. Morison Judge of the Circuit Court  
of Lee County Va.

On Tuesday Feb. 7 1888 that being court day  
as I was about to proceed to send out the defendants and  
to pay the debt and cost, heretofore decreed the plffs. in  
this cause, the parties met and mutually settled the  
debt and costs between themselves in the following manner

The deft. executed a new note bearing interest from date  
payable Feb. 7 - 1889 for \$178.50 which includes principal  
interest cost and commission, to the plaintiffs and the  
said defendant then executed a deed of trust on his land  
to secure the payment of said note on 12 months term  
and this arrangement being satisfactory to the plaintiffs  
this cause may be stricken from the docket.

From this statement it will be seen that I have not  
received one farthing in money in this cause

Respectfully Submitted

Henry J. Morgan Clerk

Feb. 7 1888



Wheeler & Ball

no. { Cant. Refert

Robt E. Crockett

Filed Feb 7 1888.

J. A. Hyatt C. C.



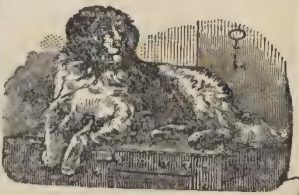
*\$80.82*

*Feb. 23<sup>rd</sup> 1881.*

**Wheeler & Ball**

*One After date I promise to pay to the order of*  
*Eighty* *82*  
*100*

*Dollars, for value received, and I hereby waive the benefit of my Homestead  
and personal property Exemptions as to this debt. Witness  
my hand and seal.*



**C. WILLOUGHBY Job Printer.**

*Attest*  
*W. H. Homer* *R. E. Crockett* (SEAL.)  
*AP* (SEAL.)



R. E. Crockett  
to 3 mtd  
\$80.00



**VIRGINIA--Lee County, to wit:**

TO Nail Jinnings, Constable of said County

I Hereby Command You to Summon R. E. Crockett, if to be found

in your District, to appear at my office, in said County, on the 31 day of January 1887  
before me or such other Justice of said County as may then be there, to try this Warrant: to answer the complaint of  
Wheeler & Ball and upon a claim for money not exceeding \$100.00, exclusive of inter-  
est, to wit: for the sum of \$ 80 82 due by note and then and there make return  
of this Warrant. Given under my hand the 27 day of January, 1887.

J. C. Vannoy, J. P.

Wheeler & Ball

Against.

R. E. Crockett

On the 31 day of January, 1887.  
In Debt.

At my office, in said County.

JUDGMENT, That the plaintiff recover of the Defendant, \$ 80 82, with interest thereon from the 23  
day of February, 1887, till paid, and \$ 100 for costs.

J. C. Vannoy, J. P.

**VIRGINIA---Lee County To Wit:**

TO \_\_\_\_\_, CONSTABLE OF SAID COUNTY:

I COMMAND YOU, In the name of the Commonwealth of Virginia, that of the goods and chattles of  
\_\_\_\_\_, in your County, you cause to be made the sum of \$ \_\_\_\_\_ with in-  
terest thereon from the \_\_\_\_\_ day of \_\_\_\_\_, 188 \_\_\_\_\_, till paid, which  
has recovered before me in a Warrant in Debt, and also the sum of \$ \_\_\_\_\_ which were adjudged to said  
\_\_\_\_\_ for costs in prosecuting said Warrant: Given under my hand \_\_\_\_\_ day of \_\_\_\_\_, 188 \_\_\_\_\_,

J. P.



Whelan & Ball

or J. J. J. J.

L. E. Cochrane

A.

Sum about 1000  
at Royal the Station  
each about 3 miles  
East of the Gulf



Virginia Lee County To wit

To Will Jinnings Constable of said County

I hereby command you to summons R. E. Crockett if to be found in your district to appear at Vannoy's office in said County on the 25 day of September 1885 before me or such other Justice of said County as may then be there to try this warrant to answer the complaint of J. H. Woodson upon a claim for money and for the sum of \$25 <sup>65</sup>/<sub>100</sub> cent due by note and then and there make return of this warrant Given under my hand the 3 day of Sep. 1885 J. C. Vannoy J.P.

J. H. Woodson } I debt  
vs

13 day of Sept 1885 at my office in said County  
R. E. Crockett Judge ment that the plaintiff recover of the defendant \$25 <sup>65</sup>/<sub>100</sub> with interest thereon from April the 8 day 1885 till paid and \$12 <sup>5</sup>/<sub>100</sub> cents for his costs J. C. Vannoy J.P.

Virginia Lee County To wit To Will Jinnings Constable  
of said County I Command you in the name of the Court  
of Virginia that of the goods and chattels of R. E. Crockett you cause  
to be made the sum of \$25 <sup>65</sup>/<sub>100</sub> cent with interest thereon from  
April ~~the 8~~ <sup>the 6</sup> day 1885 till paid which J. H. Woodson has record  
before me in a warrant in debt and also the sum of \$12 <sup>5</sup>/<sub>100</sub> cents  
which was adjudged to the said J. H. Woodson for costs in prosecuting  
his said warrant Given under my hand this 13 day of  
November 1885 J. C. Vannoy J.P.



J. H. Woodson

vs

R. E. Crockett

I assign the within  
Judgment to W. G. Colson  
Sept. 28th. 1886.

J. H. Woodson

For value recd. I assign  
the within judgment to  
W. G. Colson, Aug. 31 1887.

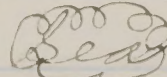
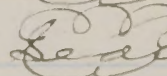
W. G. Colson

(B)



Know all men by these presents,  
that we H. J. Morgan and J. A. G. Hyatt  
are held and firmly bound unto the Commonwealth  
of Virginia, in the just and full sum of three  
Hundred Dollars, and for the prompt pay-  
ment thereof well & truly to be made  
unto the said Commonwealth we each  
bind ourselves heirs, &c. and as to  
this bond waive our Homestead  
exemptions witness our hands &  
seals this 6<sup>th</sup> day of February 1888,

The condition of the above bond  
is such that whereas the above bound  
H. J. Morgan was appointed Commissioner  
in the Chancery Cause of Wheeler &  
Ball vs R. E. Crockett at the ~~Nov~~ Term 1887, and directed to make  
sale of certain land mentioned in  
the Bill, Now therefore should  
the said Morgan truly account  
for all money he may receive  
in this cause, then this obligation  
to be void otherwise to remain  
in full force and virtue.

J. A. G. Hyatt   




Wheeler & Ball  
vs <sup>3</sup> Courd  
Bond  
Robert E Crockett

Filed Febry 6 1888  
J A S Hyattce



# The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

*Robert E. Crockett*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in *November* next, being rule day to answer a bill in Chancery exhibited in our said Court against *him* by *James M. Wheeler*

*and Moses S. Ball, late merchants & partners in trade under the firm name and style of "Wheeler and Ball,"*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *3rd* day of *October* 1887, in the 11<sup>th</sup> year of the Commonwealth.

*J. A. G. Hyatt* Clerk.

A Copy Teste



(A. J. M.)

Wheeler & Ball

us <sup>3</sup> Spain Chey

Robert E. Crockett

Lo. Nav. Rules 1887

Executed

Nav. 2<sup>d</sup> 1887.

S. H. Ewing L. C.